



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/551,886

10/04/2005

Peter Dam Neilsen

886A.0014.U1(US)

6802

29683 7590 04/08/2010

HARRINGTON & SMITH  
4 RESEARCH DRIVE, Suite 202  
SHELTON, CT 06484-6212

EXAMINER

STEPHEN, EMEM O

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

04/08/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/551,886	<b>Applicant(s)</b> NEILSEN, PETER DAM	
	<b>Examiner</b> EMEM STEPHEN	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,5,10-13,15,16,18-23,25,26 and 28-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1,5,10-13,15,16,18-23,25,26 and 28-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:
  1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
4. Claims 1, 5, 10-13, 15-16, 18-23, 25-26, and 28-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Pat. No. 7130617 B2 to Matsumoto et al. in view of Sellen et al.

Regarding claims 1, 5, 10, 15, 20, 25, and 30-31, Matsumoto discloses mobile communications device comprising a controller (see fig 2, general control unit 104 and notepad control unit 113) and a method comprising: in response to an application start

Art Unit: 2617

event and in operating a mobile communications device (see fig. 4-5, col. 8 lines 25-28, starting reminder application), the application start event being an event of starting an application (see figs. 4-5; s101, and col. 8 lines 26-34, making of an outgoing call/receiving an incoming call, s102-103, col. 8 lines 33-42, notepad control unit refers to table with received telephone number and judges whether number is in the table), determining if the application start event is associated with a reminder item stored in a memory (s102-103, col. 8 lines 33-42, notepad control unit refers to table with received telephone number and judges whether number is in the table), and in response to a positive determination (yes), controlling the device to announce the reminder item (s104, col. 8 lines 37-42, display notes), Matsumoto further disclose determining if there is correspondence in one of the following: an identifier associated with the application at the time of the application start event and relating to a device or a device setting and identifier forming part of the reminder item(col. 8 lines 38-41, personal information includes telephone number, name, email address).

However, Matsumoto fails to disclose wherein the reminder is entered into the memory of the mobile communications device by a remote terminal, which is remote from the mobile communications device.

Sellen discloses reminder is entered into the memory of the mobile communications device by a remote terminal, which is remote from the mobile communications device (par. 40, reminder is retrieved/ forwarded to user from PC 46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Matsumoto such that the reminder can

Art Unit: 2617

be entered from a remote terminal as taught by Sellen for the purpose of making it convenient for the user.

Regarding claims 11-12, and 21-22, the combination of Matsumoto and Sellen discloses a method as claimed in claim 10, in which the controlling step includes, following controlling the device to allow a user to select an application, controlling the device to present plural options including an option to initiate an application start event reminder (Matsumoto see figs. 6-7, and col. 9 lines 43-55).

Regarding claims 13, and 23, the combination of Matsumoto and Sellen discloses a method as claimed in claim 10, further comprising controlling the device to allow a user to enter an additional input, and associating the input with the reminder (Matsumoto col. 11 lines 4-13, sound, light).

Regarding claims 16, 18-19, 26, and 28-29, the combination of Matsumoto and Sellen discloses a method , device, of claim 10, comprising in response to an application start event, determining if the event is associated with a reminder stored in the memory (see figs. 4-5; s101, and col. 8 lines 26-34, making of an outgoing call/receiving an incoming call, s102-103, col. 8 lines 33-42, notepad control unit refers to table with received telephone number and judges whether number is in the table), and, in the event of a positive determination, determining also if there is correspondence between an identifier associated with the application at the time of the

Art Unit: 2617

application start event and relating to a device or resource address, a sub-routine or a device setting and identifier forming part of the reminder item, and controlling the device to announce the reminder item (Matsumoto s104, col. 8 lines 37-42, display notes col. 8 lines 38-41, personal information includes telephone number, name, email address)

Regarding claim 32, the combination of Matsumoto and Sellen discloses the method as claimed in claim 1, wherein announcement of the reminder item occurs when a games application is commenced (Matsumoto col. 1 lines 28-30, gaming application is well known in mobile stations).

Regarding claims 33-36, the combination of Matsumoto and Sellen discloses the device according to claim 5, wherein the controller is configured to check for reminders stored in the memory and check if any of the reminders stored in memory are associated with the application which was started (Matsumoto fig. 4 s102-104).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Pat. No. 7484213 B2 to Mathew et al.

US Pat. No. 7440748 B2 to Matsumoto et al.

US Pat No. 7433714 B2 to Howard et al.

Art Unit: 2617

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMEM STEPHEN whose telephone number is 571 272 8129. The examiner can normally be reached on 8-5 Mon-Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571 272 7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/E. S./  
Examiner, Art Unit 2617  
03/31/2010

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617